

6-FLOOR PLUNGE AT HOTEL KILLS HOUSE MEMBER

Body of Edward A. Kenney Found by Waiter.

TRAGEDY FOLLOWS NEW JERSEY DINNER

Coroner Thinks French Window Swung Open Suddenly.

Clad only in underclothing, the partially-crushed body of Representative Edward A. Kenney of New Jersey was found this morning on a concrete walkway beneath an open sixth-floor window at the Carlton Hotel, where he had attended the annual congressional dinner of the New Jersey State Chamber of Commerce last night.

No one saw the Representative plunge to his death in the patio below, although a friend, Harry A. Kelleher, occupied the adjoining twin bed in a suite which had been turned over to guests at the banquet, police were told.

Mr. Kelleher, an official with a nationally known soap company in New Jersey, told homicide squad detectives he saw Mr. Kenney asleep in the bed near the window about 3:30 o'clock this morning. He said he turned in himself in the other bed, went to sleep and, on awakening this morning shortly before 8 o'clock, missed the Representative and began a search. Meanwhile, the body had been discovered by a waiter.

Ruled Accidental Death.
After interviewing friends of Mr. Kenney, examining the room from which he fell and performing an autopsy on the body, Coroner A. Magruder MacDonald early this afternoon issued a certificate of accidental death.

Dr. MacDonald said there were indications the Representative went to open the French window, grasping the handle which releases a catch with the right hand and following through with shoulders turned sideways. The Representative apparently had thrown his weight downward as he pushed against the window, which opened outward. Frost was brushed from the window frames, apparently by Mr. Kenney's shoulder.

The fact that the body struck almost directly beneath the window, and at some distance from the wall, indicated further, Dr. MacDonald said, that the plunge was accidental. The Representative died almost instantly, the autopsy revealed, from a fractured skull, broken back and crushed chest.

There was a compound fracture of the lower left leg which might have been caused by the body striking a window ledge as it plunged downward.

Advocated Lottery Law.
Mr. Kenney, who was 53, was best known in Congress for his advocacy of a national lottery law.

The House adjourned at 12:15 p.m. out of respect to the dead member, and Mr. Kelleher told police that he noticed the Representative's clothing in the room upon awakening and began a search. About 20 rooms on the floor had been turned over to banquet guests from New Jersey and Mr. Kelleher inquired among the Representative's friends in an effort to locate him. Shortly later he learned the Representative had plunged from the window. Mr. Kelleher was a registered guest at the hotel.

The first identification was effected through clothing found draped over a chair. Later the identification was confirmed at the District Morgue by John M. Stewart, Mr. Kenney's secretary.

When the waiter discovered the body an ambulance was summoned from Emergency Hospital and Mr. Kenney was pronounced dead at the scene by the physician who responded.

Was Speaker at Banquet.
Mr. Kenney had been a speaker at last night's banquet, attended by many prominent New Jersey politicians and business men. He was not registered at the hotel.

Mr. Kenney remained after the dinner to talk with friends in the room set aside for the banquet guests. Cigar butts and empty glasses, it was said, indicated several of the guests remained until late last night or early this morning.

Mr. Kenney apparently concluded to spend the night at the hotel rather than return to his home in the Jefferson Apartments at 1200 Sixteenth street N.W. His wife, Mrs. Elizabeth Kenney, was at his home in Cliffside Park, N. J., at the time of the tragedy.

It was thought the Representative might have been confused by un-



REPRESENTATIVE KENNEY.—Underwood Photo.

JACKSON IS NAMED TO SUCCEED REED

President Roosevelt Picks Anti-Trust Warrior for Solicitor General.

Robert H. Jackson, 46, who as Assistant Attorney General in charge of the Justice Department's anti-trust division has been the New Deal's leading anti-business spokesman, was nominated by President Roosevelt to succeed Stanley P. Reed, recently appointed to the Supreme Court.

The choice of Mr. Jackson, who also has been mentioned as a candidate for the governorship of New York, had been expected.

Mr. Jackson, who excited industrialists in December with a virulent speech against the practices of some of the country's business men, has been head of the anti-trust division since 1936. Among his spectacular successes was the conviction last week of 16 oil companies for conspiracy to raise and fix gasoline prices in 10 Midwestern States.

The nomination of Mr. Jackson, who began his career as a small-town lawyer in Jamestown, N. Y., which is still his home, was presented to the Senate shortly before noon, a few hours after the President gave to Mr. Reed his commission as a member of the Supreme Court.

As Solicitor General, Mr. Jackson's chief job will be to represent the Government before the Supreme Court. He also will assist the Attorney General, becoming acting head of the department during the absence of the Attorney General, and pass on all Federal appeals to any appellate court.

After fall Mr. Jackson accompanied President Roosevelt on a Caribbean fishing cruise. Their talk dealt more with monopolies than fish, and when the trip was over Mr. Jackson returned to Washington to find himself labeled the Nation's No. 1 trust buster.

AUSTRIAN NAZIS LOSE

Government Confiscates \$11,400 and Closes Headquarters.

VIENNA, Jan. 27 (AP).—Headquarters of Austrian Nazis in downtown Vienna were closed today as the government struck ships at their activities.

Approximately \$11,400 was confiscated in the bureau. A Nazi informant admitted the money was intended to finance country-wide demonstrations in connection with the fifth anniversary of Adolf Hitler's German chancellorship on January 30.

Thirty-two Nazi workers were arrested, but a number of them were released after long questioning.

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UNREST OF LABOR IS LAID TO N. L. R. B. BY SENATOR BURKE

Attributes Employer-Employee Strife to Wagner Act in Asking Probe.

DRASTIC REVISION URGED IN COMMITTEE HEARING

One Type of Union Declared Favored as Opposed to All Other Groups.

BACKGROUND—
Senator Burke introduced a resolution for an investigation of the Labor Board December 9 because, he explained, his office was receiving hundreds of letters complaining of Labor Board "abuses." The resolution authorizes the appropriation of \$25,000 for an investigation, although the Judiciary Committee could proceed now to investigate without passage of the resolution. The committee, however, could not subpoena or swear witnesses.

By J. A. O'LEARY.

Enforcement of the Wagner Labor Act by the National Labor Relations Board has produced more strife and misunderstanding between employer and employee than ever existed before, Senator Burke, Democrat of Nebraska, told a Judiciary Subcommittee today in presenting the basis of his demand for a Senate investigation of the board.

After elaborating on the specific allegations in his resolution asking for the inquiry, the Nebraska declared many people believe the labor act needs drastic revision, and some feel "that no small part of the blame for the present appalling economic depression may properly be laid at the door of this administrative agency."

A few minutes after Senator Burke began his statement, he was interrupted with questions by several subcommittee members.

Senator Norris, Independent of Nebraska, raised the point that the subject should go to the Education and Labor Committee, which drafted the labor act.

Senate Rule Proposed.
Senator Burke proposed a Senate rule under which any new law that would set up an agency with judicial powers would have to be approved by the Judiciary Committee before enactment.

In support of his charge that the Labor Board has favored one type of union as opposed to all other groups, Senator Burke criticized the board's conduct of the Weirton Steel Co. case at Steubenville, Ohio, in which he said the agency has "missed no opportunity to break down the so-called company unions in the interest of their C. I. O. rivals."

The Senator accused the board of ignoring contracts between employers and the American Federation of Labor when charges were filed by the C. I. O. union, and with ordering elections to determine representation in the face of the A. F. of L. contracts.

"Such was the case at the Consolidated Edison Co. of New York, which employs 40,000 men," Senator Burke continued. "This was true also with Friedman-Blau-Fisher Co. of Cleveland and the Southern Chemical Cotton Co. of Chattanooga."

"Can any one be surprised that the delegates to the last convention of the American Federation of Labor were so outraged by the continued course of conduct on the part of the Labor Board that condemnatory resolutions were adopted?"

The Nebraska Senator also made more specific charges in his resolution that the board and its agents have intimidated public officials and interfered with freedom of speech and press by quizzing writers regarding their articles or editorials dealing with labor disputes.

The subcommittee is meeting today. (See LABOR, Page A-5.)

Banned Newspaper Reappears

BERLIN, Jan. 27 (AP).—Newstands displayed der Stuermer, newspaper of Julius Streicher, vehement Nazi anti-semitic, again today. It had been banned since January 22.



U.S. Embassy Secretary Slapped By Japanese Sentry in Nanking

Struck When Denied Permission to Enter House.

By the Associated Press.

SHANGHAI, Jan. 27.—Domei (Japanese News Agency) reported today that a Japanese sentry slapped the face of John M. Allison, third secretary of the United States Embassy at Nanking and at present in charge there, when he sought to enter a house despite the sentry's objections.

Domei quoted a military report thus: "Allison sought to enter a house, to which the Japanese objected, the sentry telling Allison not to enter, which Allison did not heed. The sentry slapped the American's face and prevented entry into the house."

The report asserted the house was Chinese and held Allison had no right to enter it. The report continued, according to Domei, "that Japanese (See SLAPPED, Page A-3.)"

D. C. SCHOOL LUNCH REFUND REFUSED

Commissioners to Continue Service as Long as Finances Permit.

By the Associated Press.

Deciding to continue service of free lunches to needy school children as long as finances permit, the Commissioners today ruled the District cannot and should not grant a refund of the \$2,154 balance in the fund to the Citizens' Committee, headed by Mrs. John Boyle, Jr.

At the same time the Commissioners directed Budget Officer Daniel J. Donovan to file with the Budget Bureau an urgent deficiency request for the appropriation of \$34,000 to permit continuation of the lunch program to the end of the school year in June.

By making use of the balance now on hand, which was given to the District to be spent for the school lunch program, the Commissioners calculated they could continue the program for 10 more days. Otherwise, it would have to be halted after tomorrow.

Flea to Be Made to Hopkins.
Meanwhile, pending Budget Bureau and congressional action of the requested deficiency appropriation, the Commissioners will ask W. P. A. Administrator Harry Hopkins, or his assistant, Aubrey Williams, to authorize the expenditure of about \$8,000 of unobligated balances of relief grants to the District for further continuation of the program. It was estimated this would permit continuation of the school lunch service in all for about six weeks.

The Commissioner's refusal to return the \$2,154 to Mrs. Boyle's committee was based on opinions rendered by Corporation Counsel Elwood H. Seal and Auditor Donovan. They agreed that the money collected by Mrs. Boyle's committee from the public was in the nature of a "gift" to be expended by the District as trustee for the specific purpose of providing food for hungry school children. Maj. Donovan ruled the District had no legal obligation to refund the money to Mrs. Boyle's committee, and Mr. Seal held that since it had been placed in a trust fund, it could be spent only for the specific designated purpose.

A special subcommittee of the House District Committee joined the Commissioners meanwhile in seeking early approval by the Budget Bureau of the proposed emergency supplemental appropriation of \$34,000.

Group Named Yesterday.
The subcommittee was appointed late yesterday to make a thorough study of the undernourishment problem in the schools.

Representative Kennedy, Democrat of Maryland, was appointed chairman. The other members are Chairman Palmisano of the District Committee and Representative Jencks, Democrat of Indiana.

Indications today were that the hearings would drag on indefinitely, as Senator Pittman told Chairman Adams that he was studying three cases to see if he considered them important enough to bring in. Senator Pittman's statement was made in response to a query from Senator Adams as to the length of time he expected still would be consumed.

The hearing went over, subject to call, after this morning's session, which was devoted to introduction of a mass of records by Senator Pittman. These included a defense deposition made by Mr. Burlew in 1932 in a suit filed against Hearst newspapers by two former underofficials of the old Federal Power Commission, Frank E. Bonner, who was executive secretary, and Frank W. Griffith, who was chief clerk. Senator Pittman announced also that he would get copies of the testimony that Mr. Burlew had given in these suits in Washington and Chicago and that he would seek also a deposition by former Secretary of the Interior Ray Lyman Wilbur. Dr. Wilbur now is president of Leland Stanford University and the committee is telegraphing him for the document.

The other papers introduced were principally copies of orders issued by Dr. Wilbur when he was head of the Interior Department and by Secretary of Interior Ickes, delegating various duties to Mr. Burlew.

STOCK EXCHANGE SHAKE-UP URGED

Salaried President Asked by Committee in Its Plans for Full Overhauling.

By the Associated Press.

NEW YORK, Jan. 27.—Complete reorganization of the New York Stock Exchange, with a salaried president in administrative control, and an end of the "self-perpetuating" Board of Governors, was proposed today by the Committee for the Study of Organization recently appointed by Charles R. Gay, president of the exchange.

The report, which means many of the suggestions made by Chairman William O. Douglas of the S. E. C., was presented simultaneously to Gay in New York and Douglas in Washington.

A. A. Berle, Jr., a member of the committee, made the presentation to Douglas.

Proceeding from the premise that "the public interest is the paramount consideration," the committee said it is "apparent to us that the organization of the Stock Exchange should be revised to accord with changing times and conditions."

Chief Proposals.
High spots in the proposals were: Sharp revision of the set-up of the Board of Governors, with a reduction of its members from 50 to 32, providing for six of these to represent non-member or member-partners of firms having their principal business outside of New York City.

Three representatives of the general public would be provided on the board, such representatives to be nominated by the president.

The terms of the governors would be for three years and they would not be allowed to succeed themselves after serving two terms, except after an interval of at least one year.

President to Name Officers.
A chairman of the board would be elected by the Board of Governors. The office would carry no salary. He would nominate the members of the Executive Committee.

The president, under the proposal, would be the chief executive officer of the exchange, would have the authority to appoint all officers except the chairman of the Board of Governors, would appoint all members standing committees except the Executive Committee of the board, and would appoint a secretary, a full-time treasurer and an economist.

CONFIRMS NOMINATIONS

Senate Approves Five Directors for Posts With R. F. C.

The Senate confirmed yesterday the nominations of five directors of the Reconstruction Finance Corp. All were reappointments for two-year terms.

The five were Chairman Jesse H. Jones of Texas, C. B. Merriam of Kansas, Charles B. Henderson of Nevada, Emil Schram of Illinois and Howard J. Klossner of Minnesota.

CLOSURE ATTEMPT BEATEN IN SENATE BY 51-37 VOTE

Lynch Bill Proponents Join Foes in Crushing Move for "Gag."

MEASURE'S OPPONENTS SEE VICTORY FINAL

Friends of Legislation, However, Express Confidence Filibuster Will Be Broken.

BACKGROUND—
Southern opposition to act making lynching a Federal offense precipitated a filibuster in Senate from opening day of present session. Despite night sessions and early convening hours, opponents of bill have talked on without sign of weakening, and only chance of breaking deadlock apparently resting in cloture proposal. Meanwhile, all other legislation is blocked.

By G. GOULD LINCOLN.

Efforts by proponents of the anti-lynching bill to end the filibuster which has tied up the Senate since the session began, failed today when an attempt to invoke the cloture rule was defeated.

The vote was 51 to 37 against cloture. A two-thirds majority is necessary to invoke such a rule.

The motion for cloture even failed to return a majority vote. Thirty-seven Democrats joined with 12 Republicans, one Farmer-Labor and one Independent to make a total of 51 votes against cloture. Thirty-five Democrats, one Republican and one Progressive voted for cloture.

Opponents of the bill insisted the measure had been effectively stopped in the Senate. Within a few days they expect it to be laid aside and other pressing measures, including the conference report on the administration's housing bill, will be laid before the Senate.

Refuse to Admit Defeat.
Proponents of the anti-lynching bill, on the other hand, declined to admit defeat. They still persisted in believing that eventually the filibuster conducted by a score of Senators, practically all from the South, could and would be broken either at this time or later in the session.

The cloture rule of the Senate was adopted in 1917 after President Wilson (See CONGRESS, Page A-3.)

BOY, 12, RUNAWAY THREATENS SUICIDE

Insists on Going to Father Instead of Mother in Custody Fight.

By the Associated Press.

NEW YORK, Jan. 27.—A 12-year-old boy who wants his father and dislikes living with his mother reached the end of a runaway trial today, threatening to end his life "if I don't get back to my father."

Too lightly clad for the cold-bareheaded, in blue bedroom slippers and wearing a hole in one elbow, the youth, Howard Frankel, who was turned over to his mother two weeks ago after a custody battle—was found asleep in an "E" train.

His second attempt to run away from his mother, Mrs. Rose Frankel, in Brooklyn, ended in a police station, where he told his mother to come get him. He had been missing from her home all night.

He didn't know, he said, where he was going—not to the home of his father, Julius Frankel of Linden, N. J., with whom he lived prior to the court order. "I wanted to go there, but I thought if I did they might put my dad in jail."

"I thought I might go to my grandmother's."

PINE WILL INSIST ON JAIL TERMS IN CURBING NUMBERS

Fines Held Futile in Any Effort to Stamp Out Racket in D. C.

GENERAL OFFENSIVE ON CRIME OUTLINED

Violence Held Encouraged With Operators Regarding Outlay to Courts as Fees.

BACKGROUND—
Law-enforcement officials have blamed numbers rackets, with its huge revenues and criminal connections, largely for suit increase in crime here in recent years. Pending before House District Committee is a bill, twice passed by Senate, making possession of numbers slips evidence of violating lottery law. Officials say this legislation is needed to smash racket.

By CARTER BROOKE JONES.

No more fines for numbers men will be recommended to the courts, but drastic jail terms will be insisted on, Acting United States Attorney David A. Pine told the Washington Criminal Justice Association at the Willard Hotel as he outlined a major offensive on crime in general.

Describing the numbers racket as dangerous to the community because of its tendency to encourage crimes of violence, Mr. Pine said that numbers men in dealing with numbers writers and others engaged in the racket. Fines, he said, are regarded only as license fees.

"I've given directions," he said, "that no more fines are to be recommended in numbers cases or in any other gambling cases. Further than that, the district attorney's office has nothing to do with the punishment—that's up to the courts."

20 Indictments Signed.
The police, he said, are making a drive on the numbers, and he signed 20 gambling indictments yesterday. He blamed "public apathy" for toleration of the numbers as a widespread racket in the District, adding that betting a few cents on a number is a social evil, and perhaps it isn't itself, but they don't realize the commitments of the game. The backers of the numbers are in an illegal business, and so are easy victims of hijackers. These backers can't complain because they know they have nothing to lose. Violence is a result—sometimes, I suppose because of attempts to apportion territories."

The acting district attorney said his office had been working night and day to speed up disposition of the accumulation of pending cases he found when he took office in January.

Pending Cases Reduced.
Since then, he said, 625 felony cases pending then had been reduced to 296 Tuesday and, although 122 new indictments had been brought in by the grand jury since the first of the year, the net reduction in cases awaiting trial had been 174.

He said his office was doing its best to combat "the alarming increase in crimes of violence, which is far out of proportion to the increase in population in recent years."

Delays in justice, he added, encourage crime, since they give accused persons a chance to prepare a defense which sometimes is a "fix."

There is no greater deterrent to crime, said Mr. Pine, than the certainty of speedy trials and sure punishment.

In cases like armed robberies, he said, his office had been able to obtain indictments and bring cases to trial within a week in recent instances and it hopes to pursue this policy.

Delinquency Report Given.
An indictment against the community could be drawn from the report of delinquency among women and children, which Capt. Rhoda J. Milliken, head of the Women's Police Bureau, made at the association's crime forum yesterday afternoon.

She told the little girl who explained when asked why she had run away that she hoped to be sent to a reform school because it would surely be nicer than the place where she had to live.

"As I heard her story," Capt. Milliken added, "I thought that the rest of us were the delinquents and that child was taking the only intelligent position in dealing with her case."

A citizens' group like the Criminal Justice Association, she pointed out, could take time to do what no law-enforcement agency had the time or opportunity to do—coordinate activities among the various groups interested in preventing and putting down crime and studying the conditions that produce it.

Capt. Milliken expressed hope that Congress would pass the pending juvenile court bill, providing for a court of domestic relations to deal with problems of homes as a whole.

CREW "SITS DOWN"
Liner Held Up as Growers Try to Load Own Vegetables.

SAN JUAN, Puerto Rico, Jan. 27 (AP).—The crew of the Porto Rico liner Borinquen "sat down" today when vegetable growers attempted to load their own produce aboard the ship, scheduled to sail for New York at 4 p.m. E. S. T.

No cargo has been loaded or discharged beyond the length of the big ballroom, turning at both ends into a gigantic letter "U."

Gifts from the assembly, a handsomely bound volume of testimonial letters, a clock and candle sticks were presented by Edward F. Colladay, president of the Board of Trade, chairman of the committee, and presiding officer.

The speakers included Robert W. Fleming, president of Riggs National Bank, representing the Board of Trade; Harry C. Davis, trustee of George Washington University; John Clagett Proctor of the Association of Old-Time Innkeepers; Melvin C. Hagen, president of the Board of Commissioners of the District; Senator Lewis of Illinois, Eugene Meyer, publisher of the Washington Post; Frank E. Waldrop, representing Mrs. Eleanor Patterson, publisher of the Washington Times and Washington Herald; John T. O'Rourke, managing editor, the Washington Daily News; Robert J. Cottrell, executive secretary of the Board of Trade. The invocation was (Continued on Page 4, Column 1.)

BULLETIN

SALEM, Oreg., Jan. 27 (AP).—

Senator Frederick Steiwer, Republican, of Oregon resigned today, effective January 31. The Senator previously had announced his withdrawal from public life upon the completion of his second term as Senator on December 31, 1938.

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